



# U.S. FOOD AND DRUG ADMINISTRATION

NEW YORK DISTRICT  
850 THIRD AVENUE, BROOKLYN, NEW YORK 11232

Telephone: [(718) 340-7000, Ext. 5301]

## WARNING LETTER

### CERTIFIED MAIL RETURN RECEIPT REQUESTED

JUL 29 1997

Mr. Gary Lesnivich, President  
International Terminal Operating Co.  
One Evertrust Plaza  
Jersey City, NJ 07305

Ref: 66-NYK-97

Dear Mr. Lesnivich:

During a July 15, 1997 inspection of your vessel watering point located at 711 12th Avenue, New York, NY our investigator observed violations of the Public Health Service Act and implementing regulations for the Control of Communicable Diseases and Interstate Conveyance Sanitation (Title 21, Code of Federal Regulations, Parts 1240 and 1250).

At the conclusion of the inspection our investigator presented to Mr. Brian Hughes, Maintenance Supervisor, a list of Inspectional Observations, Form FDA-483 and FDA-2521 (copies attached), and discussed the inspectional findings. The following deviations were found:

- There is no backflow preventer device on the water main line  
Location: Pier 88 Berth 2/outlet #1  
Berth 3/outlet #3  
Berth 3/outlet #4  
Berth 4/outlets, #3, #2, #1  
  
Pier 92 Berth 5/outlet #2  
Berth 2/outlet #3

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- Hydrant outlet is not provided with a cap and keeper chain

Pier 92 Berth #4/outlet #1, #2, #3  
Berth #2  
Berth #3/outlet #2, #3

Pier 88 Berth #2/outlet #1, #2  
Berth #1/outlet #3, #2

- A vessel was obtaining water from a watering point that was not equipped with a backflow preventer device on the water main line.

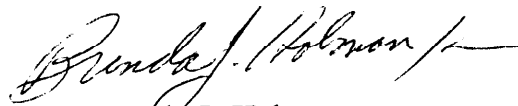
Vessel - Durance/Berth #5

The above violations are not intended to be an all-inclusive list of deficiencies which may exist. As a result of this inspection, a "Provisional" classification has been assigned for a period of thirty (30) days at which time a reinspection will be conducted. If significant improvement has not been made at that time, a "Not Approved" classification will be justified.

You should take prompt action to correct these violations. It is your responsibility to ensure that all requirements of the Public Health Service Act and the regulations promulgated thereunder are being met. You should notify this office in writing, within fifteen (15) working days of receipt of this letter, of the specific steps you have taken to correct the noted violations.

Your reply should be sent to the Food and Drug Administration, 850 Third Avenue, Brooklyn, NY 11232, Attention: Fabio Mattiashich, Compliance Officer.

Sincerely,



Brenda J. Holman  
District Director

SEO-L:sy

Enclosed: Form FDA-483 (Inspectional Observations)  
Form FDA-2528 (Inspectional Summary)

Mr. Gary Lesnivich, President  
International Terminal Operating Co.

cc: Brian Hughes  
Maintenance Supervisor  
International Terminal Operating Co.  
711 12th Avenue  
New York, NY 10019